

NEWS RELEASE



OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA San Diego, California

***United States Attorney
Karen P. Hewitt***

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For Immediate Release

NEWS RELEASE SUMMARY - February 28, 2008

United States Attorney Karen P. Hewitt announced that Luis Francisco Pena Ibarra, a Mexican pharmacy owner, was indicted for conspiracy. The indictment charges that Pena conspired with others to illegally import prescription pharmaceuticals from Mexico into the United States.

According to the indictment, Pena obtained prescription drugs, such as Viagra and Cialis, manufactured outside the United States through his contacts from his pharmacy business in Mexico. It is further alleged that Pena employed individuals to smuggle the drugs from Mexico into the United States and then sell the smuggled pharmaceuticals without a lawful prescription by telephone and via the internet.

United States Attorney Hewitt said, "This office remains committed to prosecuting those cases involving threats to the safety and security of the pharmaceuticals offered for sale to our citizens and threats to their health."

FBI Special Agent in Charge Keith Slotter stated, “The FBI will not allow the U.S.-Mexico border to provide a protective barrier to those who would subvert U.S. laws and jeopardize the health of her citizenry through the distribution of unsafe medication. Consumers should be mindful that cheap unregulated medications are no bargain.”

DEFENDANT

Case Number: 08cr0551JLS

Luis Francisco Pena Ibarra

SUMMARY OF CHARGES

Conspiracy, in violation of Title 18, United States Code, Section 371
Maximum Penalty: 5 years in custody and/or \$250,000 fine

AGENCIES

Federal Bureau of Investigation
Internal Revenue Service, Criminal Investigation Division
Food and Drug Administration, Office of Criminal Investigations
Immigration and Customs Enforcement
U.S. Postal Inspection Service

A indictment itself is not evidence that the defendant committed the crimes charged. The defendant is presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.